

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

Before me is the *Report and Recommendation* [21] of the United States Magistrate Judge and the Commissioner's *Objections to the Report and Recommendation* [22]. For the reasons stated in the accompanying *Memorandum Opinion*, it is hereby **ORDERED** that the Magistrate Judge's *Report and Recommendation* is **REJECTED** and the Commissioner's *Objections* are **SUSTAINED**. The Commissioner's final decision denying the Plaintiff's claim for benefits is therefore **AFFIRMED**, and judgment is **GRANTED** for the Defendant. This case is hereby **DISMISSED** from the docket of this Court.

The Clerk is directed to send certified copies of this *Order* and the accompanying *Memorandum Opinion* to all counsel of record.

Entered this 1st day of November, 2006.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE